

## **SPECIAL MEETING**

**April 29, 1996**

The Special Meeting of the Annapolis City Council was held on April 29, 1996 in the Council Chamber. Mayor Hopkins called the meeting to order at 7:00 p.m. Alderman Johnson offered the invocation followed by the Pledge of Allegiance.

Present on Roll Call: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff, Moyer

Staff Present: City Attorney Goetzke, Planning and Zoning Director Fogarty, Public Works Director Patmore

*Pursuant to the requirement of Maryland Annotated Code, State Government Article Section 10-509(c)(2), this statement is included in these minutes:*

*A closed session of the City Council was held at 6:41 p.m., Monday, April 29, 1996 in the City Attorney's Office.*

*Members Present: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, City Attorney Goetzke, and City Clerk Bembe.*

*By unanimous consent of the members present, the session was closed. The authority under which the session was closed was Maryland Annotated Code, State Government Article, Sections 10-508(a)(7) and (8). The purpose of the meeting was to consult with counsel to obtain legal advice and to consult with staff, consultants, or other individuals about pending or potential litigation. The following action was taken:*

### **(1) U.S. Naval Academy Sewer Matter**

*Alderman Turner moved follow the recommendation of the City Attorney and accept the settlement proposal as follows:*

- 1. The City will deduct \$10,000 from twelve consecutive USNA sewer invoices, beginning the with third quarter of 1996 (i.e., the July 1, 1996 bill);*
- 2. The City Attorney will assess and if warranted, bring a claim against the subcontractor BEKA to recover this settlement; and*
- 3. All other settlement terms set forth in the Closed Meeting Minutes of April 8, 1996 to remain the same.*

*Seconded. A ROLL CALL vote was taken:*

*YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner*

*CARRIED: 7-0*

There being no voiced objection, the order of the Agenda was amended to allow a Business and Miscellaneous item.

## **BUSINESS AND MISCELLANEOUS**

**Budget Revision Request GT-84-96**

Alderman Snowden moved to approve Budget Revision Request GT-84-96. Seconded.  
A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden,  
Turner, DeGraff, Moyer  
CARRIED: 9-0

The regular order of the Agenda was resumed.

**PUBLIC HEARINGS**

- 1. Application of the Anne Arundel County Economic Opportunity Committee, Inc. and the Housing Authority of the City of Annapolis for a conditional use to expand an existing educational facility (Obery Court Head Start Center) on property located at 110-112 Clay Street.**

Planning and Zoning Director Fogarty presented a background report on the application.

Planning Commission Chair Hillman presented the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 4/4/96, and a Memorandum with attachments from Eileen P. Fogarty to the Planning Commission dated 3/15/96.

Norman H. Finkle, Project Coordinator, Annapolis Housing Authority, 1217 Madison Street, Annapolis, spoke briefly.

No one from the general public spoke in favor of or in opposition to the application.

Mayor Hopkins announced there would be a seven day comment period and a seven day reply period for this application.

Mayor Hopkins declared the public hearing closed with action to be taken at the May 13, 1996 meeting.

- 2. Application of Mericare Associates Limited Partnership for a conditional use to establish a senior care facility on property located on Bembe Beach Road across from Elizabeth Drive, Annapolis.**

Deputy Planning and Zoning Director Arason and Chief of Current Planning E. Thomas Smith, Jr. presented background reports on the application.

Planning Commission Chair Hillman presented the Commission's findings.

Mayor Hopkins accepted into the record a Memorandum to the Annapolis City Council from the Planning Commission dated 4/18/96, and a Memorandum with attachments from Eileen P. Fogarty to the Planning Commission dated 3/28/96.

Anthony F. Christhlf, 124 South Street, attorney for the applicant, spoke briefly. John Berry, architect, 3230 Black Walnut Drive, Annapolis, and Martin R. Satava, Executive Vice President, Cooperative Retirement Services of America (CRSA), Memphis, TN spoke briefly.

Alderman Tullier left at 8:05 p.m.

Mayor Hopkins entered into the record the following exhibits submitted by Mr. Christhlf:

- Exhibit No. 1: Application and letter dated 4/18/96 from Anthony F. Christhilf to the Annapolis City Council;
- Exhibit No. 2: Combined Site Plan/Engineering Plan;
- Exhibit No. 3: Combined Engineering Plan/Landscaping Plan;
- Exhibit No. 4: Vicinity Map;
- Exhibit No. 5: Exterior Elevations;
- Exhibit No. 5A: Interior Floor Plans;
- Exhibit No. 6: Land Use Plan;
- Exhibit No. 7: List of Property Owners within 200 feet;
- Exhibit No. 8: List of Persons with an Interest in the Site;
- Exhibit No. 9: Statement of Compliance with Criteria;
- Exhibit No. 10: Slides of site (19).

Speaking in favor of the application:

1. Dave Gohsman, General Manager  
Port Annapolis Marina  
7074 Bembe Beach Road  
Annapolis, Md. 21403
2. Henry Wilson  
7007 Bay Front Drive  
Annapolis, Md. 21403

Speaking in opposition to the application:

1. Brad Rohrer  
991 Awald Drive  
Annapolis, Md. 21403
2. Aestop Modley, President  
Annapolis Neck Peninsula Federation  
87 Tarragon Lane  
Edgewater, Md. 21037
3. Bill Wohlgemuth  
7051 Bay Front Drive  
Annapolis, Md. 21403

No one else from the general public spoke in favor of or in opposition to the application.

Mr. Christhilf made a closing statement.

Mayor Hopkins declared the public hearing closed with action to be taken at the May 13, 1996 meeting.

Mayor Hopkins announced there would be a seven day comment period and a seven day reply period for this petition.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 8:45 p.m.

**Patricia L. Bembe, CMC/AAE  
City Clerk**